

8-25-06

AF/zw

PATENT  
450101-02687

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Yoichiro ASATO  
Serial No. : 09/831,328  
For : DATA RECORDING/REPRODUCING  
APPARATUS AND METHOD  
Filed : May 7, 2001  
Examiner : Nguyen, Huy Thanh  
Art Unit : 2616  
Confirmation No. : 2878



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Date of Deposit: August 24, 2006

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(Signature of person mailing paper or fee)

**NOTICE OF APPEAL UNDER 37 C.F.R. §1.191 FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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Sir:

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Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's Decision, in the Final Office Action dated February 27, 2006, finally rejecting Claims 1-17.

The item(s) checked below are appropriate:

- (1) ☒ This response is being filed within the third month following the expiration of the term originally set therefor. A check for \$1,020.00 was previously paid for the petition for extension of time with the Amendment under 37 C.F.R. §1.116 filed August 22, 2006.
- (2) ☒ Notice of Appeal Fee Under 37 C.F.R. §1.17(b): \$500.00  
☒ Enclosed  
☐ Not required (Fee paid in prior appeal)
- (3) ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.
- (4) ☐ An Oral Hearing is requested.

(Two additional copies of the Notice are enclosed herewith).

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By: \_\_\_\_\_

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